

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE
EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO, AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**SUPPLEMENTAL NOTICE REGARDING LIMITED EXTENSION OF TIME TO
OBJECT TO EXECUTORY CONTRACTS AND UNEXPIRED LEASES TO BE
ASSUMED PURSUANT TO TITLE III PLAN OF ADJUSTMENT**

**YOU ARE RECEIVING THIS NOTICE BECAUSE YOU
OR ONE OF YOUR AFFILIATES MAY BE A COUNTERPARTY TO AN
EXECUTORY CONTRACT OR UNEXPIRED LEASE WITH THE DEBTORS
AS SET FORTH ON EXHIBIT A ATTACHED HERETO**

PLEASE TAKE NOTICE that, on November 21, 2021, the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Authority (“PBA” and, collectively with the Commonwealth and ERS, the “Debtors”), pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed the *Second Amended Plan Supplement and Plan Related Documents of the Commonwealth of Puerto Rico, et al.* [Case No. 17-BK-3283-LTS, ECF No. 19326] (the “Second Amended Plan Supplement”).³

PLEASE TAKE FURTHER NOTICE that, attached to the Second Amended Plan Supplement as Exhibit E is a schedule of Executory Contracts and Unexpired Leases (the “Schedule”). Pursuant to Section 76.1 of the Plan, the Debtors intend to assume, as of the Effective Date of the Plan, the Executory Contracts and Unexpired Leases listed in the Schedule.

PLEASE TAKE FURTHER NOTICE that, on November 23, 2021, the Oversight Board filed the *Notice of Executory Contracts and Unexpired Leases to be Assumed Pursuant to Title III Plan of Adjustment* [Case No. 17-BK-3283-LTS, ECF No. 19353; Case No. 19-BK-05523-LTS, ECF No. 244; Case No. 17-BK-03566-LTS, ECF No. 1272] (the “Original Notice”), which provided that the deadline for parties in interest to object to the proposed Cure Costs or the assumption of the Executory Contracts or Unexpired Leases was December 13, 2021, at 5:00 p.m. (prevailing Atlantic Standard Time) (the “Original Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that, on December 21, 2021, the Oversight Board filed this *Supplemental Notice Regarding Limited Extension of Time to Object to Executory Contracts and Unexpired Leases to be Assumed Pursuant to Title III Plan of Adjustment* (the “Supplemental Parties”), to extend the Original Objection Deadline solely for the counterparties

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

³ All capitalized terms used but not otherwise defined herein shall have the meanings given to them in the *Modified Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.*, dated December 20, 2021 [Case No. 17-BK-3283-LTS, ECF No. 19568] (as may be amended, modified, or supplemented, the “Plan”) or the Original Notice (as defined below), as applicable.

to the Executory Contracts and Unexpired Leases listed on the schedule attached hereto as **Exhibit A** to **January 10, 2022, at 5:00 p.m. (prevailing Atlantic Standard Time)** (the “**Extended Objection Deadline**”).

PLEASE TAKE FURTHER NOTICE that, if you disagree with the proposed Cure Costs or the assumption of the Executory Contracts or Unexpired Leases to which you are a party, your objection must: (i) be in writing, in English, and signed; (ii) comply with the applicable provisions of the Bankruptcy Rules, Local Bankruptcy Rules, and any order governing the administration of these Title III Cases; (iii) state with specificity the nature of the objection and, if the objection pertains to the proposed Cure Costs, state the correct cure amount alleged to be owed, together with any applicable and appropriate documentation in support thereof; and (iv) be filed electronically with the Court on the docket of *In re Commonwealth of Puerto Rico*, Case No. 17 BK 3283-LTS, through the Court’s case filing system in searchable portable document format **on or before January 10, 2022, at 5:00 p.m. (prevailing Atlantic Standard Time)**, and (v) be served upon the Office of the United States Trustee for the District of Puerto Rico, Edificio Ochoa, 500 Tanca Street, Suite 301, San Juan, PR 00901 (re: In re: Commonwealth of Puerto Rico) so as to be received **on or before** the Extended Objection Deadline.

PLEASE TAKE FURTHER NOTICE that, if no objection to the Cure Costs(s) or the assumption of any Executory Contract or Unexpired Lease is filed by the Extended Objection Deadline, then (i) you will be deemed to have stipulated that the Cure Costs as determined by the Debtors are correct, (ii) you will be forever barred, estopped, and enjoined from asserting any additional cure amount for any amounts due and/or that could have been sought as Cure Costs in accordance with the Executory Contracts and Unexpired Leases, (iii) you will be forever barred,

estopped, and enjoined from objecting to such proposed assumption on the grounds that the Debtors have not provided adequate assurance of future performance as of the Effective Date.

PLEASE TAKE FURTHER NOTICE that, if there are any objections filed to the proposed assumption of the Executory Contracts or Unexpired Leases listed on **Exhibit A** attached hereto or related Cure Cost(s), the Title III Court shall hold a hearing on a date to be set by the Title III Court.

PLEASE TAKE FURTHER NOTICE that, notwithstanding anything herein, the mere listing of any Executory Contract or Unexpired Lease on the Schedule does not require or guarantee that such Executory Contract or Unexpired Lease will be assumed by the Debtors at any time, and all rights of the Debtors with respect to such Executory Contracts or Unexpired Leases are expressly reserved.

PLEASE TAKE FURTHER NOTICE that all documents filed in these Title III cases are available (a) free of charge by visiting <https://cases.primeclerk.com/puertorico> or by calling +1 (844) 822-9231, and (b) on the Court's website at <http://www.prd.uscourts.gov>, subject to the procedures and fees set forth therein.

[Remainder of Page Left Intentionally Blank]

Dated: December 21, 2021
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian S. Rosen

Martin J. Bienenstock (*pro hac vice*)

Brian S. Rosen (*pro hac vice*)

PROSKAUER ROSE LLP

Eleven Times Square

New York, NY 10036

Tel: (212) 969-3000

Fax: (212) 969-2900

*Attorneys for the Financial Oversight and
Management Board as representative for the
Debtors*

/s/ Hermann D. Bauer

Hermann D. Bauer

USDC No. 215205

O'NEILL & BORGES LLC

250 Muñoz Rivera Ave., Suite 800

San Juan, PR 00918-1813

Tel: (787) 764-8181

Fax: (787) 753-8944

*Co-Attorneys for the Financial Oversight and
Management Board as representative for the
Debtors*

Exhibit A

Schedule of Certain Assumed Executory Contracts and Unexpired Leases

Schedule of Assumed Executory Contracts and Unexpired Leases

The Debtors reserve the right to amend, on or prior to the Effective Date, this schedule to delete any Executory Contract or Unexpired Lease therefrom or add any Executory Contract or Unexpired Lease, in which event such Executory Contract(s) or Unexpired Lease(s) shall be deemed to be, as the case may be, either assumed, or assumed and assigned as of the Effective Date.

Contract Number	Lessee	Lessor	Lessor's Address	Address of Property Leased	Cure Amount
N/A	Administración de Rehabilitación Vocacional (ARV)	INTER San Germán	Av. Universidad Interamericana, San Germán, 00683	N/A	\$0.00
N/A	Hacienda	TOTE (Sea Star)	10401 Deerwood Park Boulevard Building 1, Suite 1300 Jacksonville, FL 32256	Zona Portuaria Avenida Kennedy, San Juan, PR 00902	\$0.00
2008-000311	Departamento de Educacion	Sucn. Jose N Colon	P.O. Box 358 Barranquitas, PR 00794	Barrio Honduras Sector El Porton Carr 156 km 17.7, Barranquitas, PR 00705	\$0.00
2001-000627	Departamento de Educacion	Pedro Russe Santiago	HC-02 Box 6035 Morovis, PR 00687	Carr Ramal 6622, Morovis, PR, 00687	\$0.00
2013-000264	Departamento de la Familia	Ernesto Vázquez Gomez	P.O. Box 2021 Guayama, PR 00785	Calle Ashford, Esquina Calle Pales NE, Guayama, PR 00784	\$0.00
2013-000265	Departamento de la Familia	Héctor L. Rivera	Ave. Buena Vista HC2 Box# 6617 Morovis, PR 00687	Avenida Buena Vista #22 Morovis, PR 00687	\$0.00
2012-000214	Departamento de la Familia	MARIA MILAGROS HORMAZABAL RUIBAL	Box 15 Juncos, PR 00777	Edificio Caray #1, Calle Emilio López, Hormazabal, Juncos, PR 00777	\$0.00
2012-000219	Departamento de la Familia	Marla D. Quintana	P.O. Box 2525 Utuado, PR 00641	Carretera 111, Km. 8.2, Barrio Caguana, Utuado, PR 00641	\$0.00
2012-000229	Departamento de la Familia	Rafael A. Hernández / LUDOVIGIA CASTRODAD MENENDEZ/Fideicomiso Hernández Castrodad- Sr. José Hernández Castrodad	HC-06 Box 72502 Caguas, PR 00725-9511	Angora Industrial Park, Sector Bairoa, Caguas, PR 00725	\$0.00
2012-000213	Departamento de la Familia	Rafael A. Hernández / LUDOVIGIA CASTRODAD MENENDEZ/Fideicomiso Hernández Castrodad- Sr. José Hernández Castrodad	HC-06 Box 72502 Caguas, PR 00725-9511	Avenida Gautier Benítez 162 Edificio Angora, Caguas, PR 00725	\$0.00

Schedule of Assumed Executory Contracts and Unexpired Leases

The Debtors reserve the right to amend, on or prior to the Effective Date, this schedule to delete any Executory Contract or Unexpired Lease therefrom or add any Executory Contract or Unexpired Lease, in which event such Executory Contract(s) or Unexpired Lease(s) shall be deemed to be, as the case may be, either assumed, or assumed and assigned as of the Effective Date.

Contract Number	Lessee	Lessor	Lessor's Address	Address of Property Leased	Cure Amount
2012-000218	Secretariado del Departamento de la Familia	Rafael Muratti	P.O. Box 3796 Bayamón Garden Station Bayamón, PR 00958	Calle Comercio, Hermanas Dávila final, Centro Comercial San Fernando, Carolina, PR 00985	\$0.00
2012-000222	Secretariado del Departamento de la Familia	Virginia Ramirez/Tomas Omar Coriano Ramirez	Urbanización Sultana Calle Tolosa #78 Mayaguez, PR 00680	Calle San Benito #14, frente a la Plaza de Recreo Las Marias, PR 00670	\$0.00
2013-000314	Secretariado del Departamento de la Familia	Wilfredo Fontanez	P.O. Box 3274 Carolina, PR 00984	Avenida Betances 464, Esquina Los Millones Urbanización Hermanas Dávila, Bayamon, PR 00959	\$0.00